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Practitioner's Docket No. HW-6916

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Leif Einar Stern

Application No.: 10/758,051

Group No.: 1722

Filed: January 14, 2004

Examiner: TBD

For: **DEVICE FOR DISCHARGE OR OUTFEED OF A PASTY PRODUCT,  
PREFERABLY FOODSTUFF, FROM A CONTAINER**

**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**RESPONSE TO "NOTICE TO FILE CORRECTED APPLICATION PAPERS"**

1. A copy of the "NOTICE TO FILE CORRECTED APPLICATION PAPERS" mailed for this application on May 11, 2004 (date) is attached.
2. In response to the requirements of the NOTICE applicant submits herewith substitute:

<input checked="" type="checkbox"/>	sheets of drawings	<input checked="" type="checkbox"/>	No. of sheets <u>2</u> (Figs. 1-2)
<input checked="" type="checkbox"/>	pages of specification	<input checked="" type="checkbox"/>	No. of pages <u>10</u>
<input checked="" type="checkbox"/>	pages of claims	<input checked="" type="checkbox"/>	No. of pages <u>8</u>
<input checked="" type="checkbox"/>	Other - <b>Abstract</b>	<input checked="" type="checkbox"/>	No. of pages <u>1</u>

**CERTIFICATE OF MAILING/TRANSMISSION 37 CFR §§ 1.8(a) and 1.10\***

(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional).

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

- ☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.8(a)**

**37 C.F.R. § 1.10\***

- ☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (**mandatory**)

**TRANSMISSION**

- ☐ transmitted by facsimile to the Patent and Trademark Office

*Anita J. Galo*  
**Signature**

Date: May 17, 2004

Anita J. Galo  
(type or print name of person certifying)

*\*Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

3. ☐ Applicant requests an extension of time for this response

NOTE: 37 C.F.R. § 1.740(b) "...an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the date after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has not effect on the three-month period set forth in this paragraph."

Based on the extension requested in this petition (and that for which a previous petition has been filed, if any), the extended period for response will expire on \_\_\_\_\_ (date)

Applicant is

- ☐ a small entity. A small entity assertion:
- ☐ is hereby made.
- ☐ was already made.
- ☒ other than a small entity.

4. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(5)):

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00

Fee: \$\_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

**Extension fee due with this request \$0.00**


5. The extension fee is paid as follows:

- ☐ Attached is a ☐ check ☐ money order in the amount of \$0.00
- ☒ Authorization is hereby made to charge the amount of \$0.00
- ☒ to Deposit Account No. 20-0090
- ☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

**WARNING:** Credit card information should **not** be included on this form as it may become public.

- ☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this request is attached.

  
**SIGNATURE OF PRACTITIONER**

Thomas L. Tarolli

(type or print name of attorney)

Reg. No.: 20,177

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